

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PATRICK C. OBAH,
Plaintiff,
-v-
EQUILIEM COMPANY, *et al.*,
Defendants.

23-CV-9600 (JPO)

ORDER OF SERVICE

J. PAUL OETKEN, District Judge:

Plaintiff brings this action *pro se* against two defendants, Equiliem Company and Ryan Persichilli, asserting that Defendants unlawfully discriminated against him. Equiliem entered an appearance through counsel on July 2, 2024. (ECF Nos. 17 & 18.) On November 1, 2023, the Court granted Obah's application for leave to proceed *in forma pauperis*. (ECF No. 4.) The Court has since twice ordered the Marshals to attempt service on Defendants using addresses Obah provided. (See ECF Nos. 6, 15.) Persichilli has not been served or entered an appearance. On September 17, 2024, counsel for Equiliem informed the Court that Persichilli's last known address in its records is 137 N. Meridian Street, Apt. 3, Tallahassee, Florida, 32301. (ECF Nos. 26; *see also* ECF No. 15 at 1 n.2.)

Accordingly, the Clerk of Court is directed to issue a new summons for Defendant Ryan Persichilli, complete with the USM-285 form with the above address, and deliver to the U.S. Marshals Service all documents necessary to effect service. The Marshals are directed to attempt service of the Complaint upon Ryan Persichilli at that address. *See* 28 U.S.C. § 1915(d); Fed. R.

Civ. P. 4(c)(3). Should service at that address be unsuccessful, the Court may dismiss all claims against Ryan Persichilli without prejudice pursuant to Federal Rule of Civil Procedure 4(m).¹

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 396 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Clerk of Court is directed to mail a copy of this order to Plaintiff at the address designated on ECF.

SO ORDERED.

Dated: September 23, 2024
New York, New York



J. PAUL OETKEN
United States District Judge

¹ For good cause, the Court extends the time to serve Persichilli under Federal Rule of Civil Procedure 4(m) until ninety days after the date the new summons issues.